

CENTERS for MEDICARE & MEDICAID SERVICES (CMS)

SUMMARY REPORT

DURABLE MEDICAL EQUIPMENT (DME) PUBLIC MEETING

June 24th, 2003

INTRODUCTION AND OVERVIEW

John Lanigan, CMS Office of Professional Relations, moderated the meeting. Approximately 50 people attended. The agenda included 27 items.

Laurence Wilson, in his new role as Director, CMS Center for Medicare Management, Chronic Care Policy Group, welcomed the participants and offered opening remarks. He discussed the public meeting forum in relation to the requirements of BIPA 2000, and as being consistent with CMS's Plan to Create and Open and Responsive Federal Agency. Mr. Wilson invited active participation from the audience, as the public meeting forum provides an opportunity for CMS to receive and act on feedback from our partners in industry.

Cindy Hake provided an overview of the DME public meeting process and the overall HCPCS coding process. The DME public meetings meet the BIPA 2000 requirements that CMS permit public consultation for coding and payment determinations for new DME, as explained in the Federal Register Notice published on November 23, 2001. At these meetings, interested parties have the opportunity to make oral presentations and submit written comments regarding coding and pricing recommendations for new DME that have been submitted using the HCPCS coding modification process.

Prior to Public Meetings for new DME, the CMS HCPCS workgroup meets to review the coding requests on the public meeting agenda, and to make a preliminary coding recommendations to the HCPCS National Panel. CMS also makes preliminary recommendations regarding the applicable payment category and the methodology that will be used to set a payment amount for the items on the agenda. The preliminary coding and payment recommendations are posted on the HCPCS world wide web site, as part of the DME public meeting agendas.

Following the public meeting, the CMS HCPCS workgroup will use the input heard at the Public Meeting to reconsider its preliminary coding recommendations, and CMS staff will reconsider its pricing recommendations. Afterwards, the workgroup will decide on its recommendations to the HCPCS National Panel. The National Panel, (comprised of the Centers for Medicare & Medicaid Services, the Health Insurance Association of America, and the Blue Cross and Blue Shield Association), is the entity that maintains the permanent HCPCS level II codes, and reserves final decision making authority concerning requests for permanent HCPCS codes. Final decisions regarding Medicare payment are made by CMS and must comply with the Statute and Regulations.

Public Meetings for new DME are neither CMS HCPCS workgroup meetings nor HCPCS National Panel meetings. No final decisions are made at the public meetings. All requesters will be notified in writing, in early November, of the National Panel's final decision regarding the HCPCS code request(s) they submitted.

The process for developing agendas and speaker lists for the DME public meetings, and Guidelines for Proceedings at CMS' Public Meetings for New DME are posted on the official HCPCS world wide web site at: <http://cms.hhs.gov/medicare/hcpcs/default.asp>. The standard application form for requesting a modification to the HCPCS Level II Coding System, along with instructions for completion and background information regarding the HCPCS Level II coding process is available on the same web site.

At the 2003 Public Meetings for new DME, CMM staff Joel Kaiser presented an educational overview of the variety of methods used for setting the payment amount for items, and when the different methods are used. This overview was also provided as a written attachment to the agenda. For additional information, the DME payment rules are located at Section 1834 (a) of the Social Security Act. The Medicare fee schedule for DME, Prosthetics, Orthotics and Supplies, and background information, can be accessed and downloaded free of charge at: <http://cms.hhs.gov/providers/pufdownload/default.asp#dme>.

AGENDA ITEMS – June 24, 2003 Public Meeting for new DME

AGENDA ITEM # 1, Attachment # 03.58 (A&B)

- A) Request to establish code for sit to stand, Pediatric/Youth, Trade Name: Easystand 5000 Youth, Easystand 7000 Magician, & Easystand 7000 Magician Ei.
- B) Request to establish code for sit to stand stander, adult, Trade Name: Easystand 5000.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel:

#03.58A

To establish the following “E” code:

E???? Combination sit to stand system, any size, with seat lift feature, with or without wheels

#03.58

Use the newly established code (as above)

E???? Standing frame system, any size, with or without wheels.

Payment: The E???? codes for these two categories of items would fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). If covered, payment would be made on a purchase or rental basis. The fee schedule amounts would be gap-filled by the DMERCs.

There was no Primary Speaker for this item.

AGENDA ITEMS:

#2, Attachment 03.102;

#3, Attachment 03.96;

#4, Attachment 03.114; and

#5, Attachment 03.115

Separate requests to establish a code for each of the following related products:

#2 (03.102), Stander, Trade Name: Rifton Dynamic Stander.

#3 (03.96), Small stander, Trade Name: Rifton’s stander, small.

#4 (03.114), Medium stander, Trade Name: Rifton’s stander, medium.

#5 (03.115), Large stander, Trade Name: Rifton’s stander, large.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel is the same for each of the above requests: 03.102; 03.96; 03.114; and 03.115: Use newly established “E” code:

E???? Standing frame system, any size, with or without wheels.

Payment: Code E???? would fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). If covered,

payment would be made on a purchase basis. The fee schedule amounts would be gap-filled by the DMERCs.

Primary Speaker – Marcia Nusgart, addressed agenda items 2, 3, 4 and 5 together. She disagreed with the CMS HCPCS Workgroup’s preliminary recommendation, based on product variations in: mechanical or functional characteristics, clinical indications, retail price, and the need to facilitate payment by Medicaid and private payers. Requests a total of 4 codes: one code each for adult and pediatric single position standers; a code for the multi-position, or three-way stander; and a code for the dynamic stander.

AGENDA ITEM # 6, Attachment # 03.61

Request to establish a code for a mechanical walker, Trade Name: EZ-Walker.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0141, rigid walker wheeled, without seat.

Payment: Code E0141 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E0141 is currently \$115.29 and the floor is \$98.00. The national, monthly rental, fee schedule ceiling for E0141 is currently \$22.36 and the floor is \$19.01.

Primary Speaker – Jim Kuntz of PortaCare, LLC, discussed features of the EZ-Walker, and differences between this product and a standard, static walker - the main difference being that the EZ-Walker allows hip rotation.

AGENDA ITEM # 7, Attachment # 03.82

Request to establish a code for a bariatric 4 wheeled folding rollator, Trade Name: CE Obese XL.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0149, walker, heavy duty, wheeled, rigid or folding, any type, each.

Payment: Code E0149 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E0149 is currently \$223.20 and the floor is \$189.72. The national, monthly rental, fee schedule ceiling for E0149 is currently \$22.32 and the floor is \$19.97.

Primary Speaker – Marcia Nusgart, disagreed with the CMS HCPCS Workgroup’s preliminary recommendation, based on: documentation that this walker exceeds the weight capacity (up to 500 lbs.); unique construction to handle increased weight capacity; the distinct needs of bariatric patients; and the need to facilitate payment by Medicaid and private payers. Requests a unique code for this bariatric product, indicating that unique codes exist for other bariatric DME.

AGENDA ITEM # 8, Attachment # 03.93

Request to establish a code for a pediatric walker, Trade Name: Allegro-Medical pediatric Walker.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Not differentiate between pediatric and adult size; to delete codes E0142, E0145, E0146 because the descriptors include attachments that may result in duplicate billing; to establish the following “E” code:

E???? Walker, with trunk support, adjustable or fixed height, any type.

To reorder the existing text of codes E0141, E0143, E0144, E0147 and E0149 for consistency of language, to read as follows:

E0141 Walker, rigid, wheeled, adjustable or fixed height

E0143 Walker, folding, wheeled, adjustable or fixed height

E0144 Walker, enclosed, four sided framed, rigid or folding, wheeled with posterior seat

E0147 Walker, heavy duty, multiple braking system, variable wheel resistance

E0149 Walker, heavy duty, wheeled, rigid or folding, any type

Payment: Code E???? would fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). If covered, payment would be made on a purchase basis. The fee schedule amounts would be gap-filled by the DMERCs.

Primary Speaker – Marcia Nusgart, disagreed with the CMS HCPCS Workgroup’s preliminary recommendation. She commented that a pediatric walker is not comparable to an adult walker because adult walkers: do not include trunk support; are not a fixed height; and there are differences in function, technology and retail price. Requests at least one new code for pediatric walkers to facilitate payment by Medicaid and private payers.

AGENDA ITEM # 9, Attachment # 03.113

Request to establish a code for a gait-trainer, Trade Name: Rifton Gait Trainer.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Not to differentiate between pediatric and adult size: Delete codes E0142, E0145, E0146 because the descriptors include attachments that may result in duplicate billing, and establish the following “E” code:

E???? Walker, with trunk support, adjustable or fixed height, any type.

To revise the text of codes E0141, E0143, E0144, E0147 and E0149 to read as follows:

E0141 Walker, rigid, wheeled, adjustable or fixed height

E0143 Walker, folding, wheeled, adjustable or fixed height

E0144 Walker, enclosed, four sided framed, rigid or folding, wheeled with posterior seat
E0147 Walker, heavy duty, multiple braking system, variable wheel resistance
E0149 Walker, heavy duty, wheeled, rigid or folding, any type

Payment: Code E???? would fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). If covered, payment would be made on a purchase basis. The fee schedule amounts would be gap-filled by the DMERCs.

Primary Speaker – Marcia Nusgart, disagreed with the CMS HCPCS Workgroup’s preliminary recommendation. She commented that walkers are not comparable to gait trainers, because of differences in function, technology, clinical indications, retail prices and cost of manufacturing. Requests two codes: one for the full upright support/forward leaning gait trainer, and one for the posterior support gait trainer, to facilitate payment by Medicaid and private payers. Code descriptions must include verbiage related to technology and function.

AGENDA ITEM # 10, Attachment # 03.106

Request to establish a code for a hands free mobility device Trade Name: i Walk Free.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Establish the following “E” code:

E???? Crutch, knee, each.

Payment: This item is not covered; therefore, no payment determination is necessary.

There was no Primary Speaker for this item

AGENDA ITEM # 11, Attachment # 03.81

Request to establish a code for a self-restoring retractable bariatric seat, Trade Name: CE 1287 Self Storing Retractable Seat.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0156, seat attachment, walker.

Payment: Code E0156 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E0156 is currently \$26.43 and the floor is \$22.47. The national, monthly rental, fee schedule ceiling for E0156 is currently \$3.38 and the floor is \$2.87.

Primary Speaker – Marcia Nusgart, disagreed with the CMS HCPCS Workgroup’s preliminary recommendation. She commented that the proposed code does not accommodate a horizontally adjustable seat; weight in excess of 500 pounds; or the steel construction of the product. Requests a code for a bariatric walker seat width adjustable, weight capacity of 500-1000 pounds to facilitate payment by all payers.

AGENDA ITEM # 12, Attachment # 03.85

Request to establish a code for toilet lift, Trade Name: Aerolet Toilet Lift.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code A9270, (non-covered item or service) for Medicare.

Payment: This item is not covered; therefore, no payment determination is necessary.

Primary Speaker – Stephanie Wolfcamp of Economic Mobility, Inc., described the product as a “3 in 1” commode that is “just as necessary as a power chair” to someone in need. She commented on some of the Toilet Lift’s features, such as variable lift, and indicated that other seat lifts, toilet lifts and slings don’t have the same features. Requested reimbursement, primarily.

AGENDA ITEM # 13, Attachment # 03.87

Request to establish a code for a seat lift mechanism for wheelchairs, Trade Name: Uplift Wheelchair Seat Assist.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0627, seat lift mechanism incorporated into a combination lift-chair mechanism.

Payment: Code E0627 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E0627 is currently \$337.32 and the floor is \$286.72. The national, monthly rental, fee schedule ceiling for E0627 is currently \$33.74 and the floor is \$28.68.

There was no Primary Speaker for this item

AGENDA ITEM # 14, Attachment # 03.120

Request to establish a code for an integrated contoured adjustable wheelchair seat with fixed mounting hardware, Trade Name: Jay Fit Adjustable Contour Seat.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E1013, integrated seating system, contoured, for pediatric wheelchair. The seating system includes all that goes with it, allowing for choices among various components for individual patients.

Payment: Code E1013 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E1013 is currently \$837.93 and the floor is \$712.24. The national, monthly rental, fee schedule ceiling for E1013 is currently \$83.80 and the floor is \$71.23.

Primary Speaker – Tom Whelan of Sunrise Medical disagreed with the Workgroup’s preliminary recommendation, commenting that E1013 is inappropriate because the code application was for a seat only. The recommendation forces the user to get a contoured seat and a contoured back. He indicated that E1013 is for a wood-based seat. In order to achieve the same adjustment, that seat would have to be re-built, whereas the contoured, adjustable wheelchair seat can be adjusted over the life of the product, without being re-built. Requested a separate code based on differences in technology, to give manufacturers incentive to provide contoured, adjustable wheelchair seats.

AGENDA ITEM # 15, Attachment # 03.111

Request to establish a code for a solid seat, Trade Name: Allegro Pediatric Solid Seat.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Delete code K0030 and crosswalk to E0992 (because K0030 is duplicative), and revise E0992 to read:
E0992 Manual wheelchair accessory, solid seat insert.

Payment: Code K0030/E0992 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for K0030 is currently \$95.15 and the floor is \$80.88. The national, monthly rental fee schedule ceiling for K0030 is currently \$9.25 and the floor is \$7.86.

There was no Primary Speaker for this item

AGENDA ITEM # 16, Attachment # 03.105

Request to establish a code for a temperature management and stability wheelchair cushion,
Trade Name: ComforT cushion.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0192, low pressure and positioning equalization pad, for wheelchair. This product fits the criteria for coding at E0192. Temperature management is a matter of convenience, and does not impact coding.

Payment: Code E0192 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E0192 is currently \$387.01 and the floor is \$328.96. The national, monthly rental, fee schedule ceiling for E0192 is currently \$38.98 and the floor is \$33.13.

Primary Speaker – Evan Call of Otto Bock Health Care, disagreed with the Workgroup’s preliminary recommendation. He commented that the ComforT Cushion is not a low pressure and positioning equalization pad, and is therefore not described by E0192. He indicated that the ComforT Cushion is different from products classified under E0192, because it provides a cooling effect, and since increased temperature leads to moisture and sweating, which increases

risk of skin breakdown, the heat mitigation element of the ComforT Cushion is not a matter of convenience, but an important medical benefit.

“5-Minute” Speaker – Sarah Oxtan of Otto Bock, disagreed with the Workgroup’s preliminary recommendation. She commented that the components in the product are not available in any product classified under E0192, and that temperature management is not a matter of user convenience to insensate patients.

AGENDA ITEM # 17, Attachment # 03.99

Request to establish a code for a gel wheelchair cushion, Trade Name: Buns-EZ Cushion Custom Gel Wheelchair.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0178, gel or gel-like pressure pad or cushion, nonpositioning. The height and characteristics of this product fit the criteria for coding at E0178.

Payment: Code E0178 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E0178 is currently \$121.34 and the floor is \$103.14. The national, monthly rental, fee schedule ceiling for E0178 is currently \$15.01 and the floor is \$12.76.

There was no Primary Speaker for this item

AGENDA ITEM # 18, Attachment # 03.38

Request to establish a code for an alternating pressure seating system, Trade Name: Airpulse Cushion.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Not to establish a code because of low volume of documented use. Use existing code K0108, wheelchair component or accessory not otherwise specified.

Payment: Claims for items billed using code K0108 (wheelchair component or accessory, not otherwise specified) are paid in accordance with the fee schedule payment methodology. However, a fee schedule is not established for this HCPCS code because it is used for miscellaneous and varying items. The DMERCs establish local fee schedule amounts for groups of like items that are coded using K0108. The DMERCs will assign the items to a DME fee schedule category. The HCPCS pricing indicator for code K0108 is 46 for “carrier priced.”

There was no Primary Speaker for this item

AGENDA ITEM # 19, Attachment # 03.107

Request to establish a code for reclining back wheelchair accessory Trade Name: Comfy Reclining Wheelchair Back.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Establish the following “E” code:

E???? Manual wheelchair accessory, semi-reclining back (recline greater than 15 degrees but less than 80 degrees).

Payment: Code E???? would fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). If covered, payment would be made on a purchase basis. The fee schedule amounts would be gap-filled by the DMERCs.

There was no Primary Speaker for this item

AGENDA ITEM # 20, Attachment # 03.121

Request to establish a code for an integrated contoured adjustable wheelchair back with fixed mounting hardware, Trade Name: Jay Fit Adjustable Contour Back.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E1013 “Contoured Seating System”. This includes the seat and back. A back should be provided with a seat at the same time.

Payment: Code E1013 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for E1013 is currently \$837.93 and the floor is \$712.24. The national, monthly rental, fee schedule ceiling for E1013 is currently \$83.80 and the floor is \$71.23.

Primary Speaker – Tom Whelan of Sunrise Medical disagreed with the Workgroup’s preliminary recommendation, commenting that E1013 is inappropriate because the code application was for a back only. A seat and a back are not necessarily both needed at the same time. He indicated that E1013 is for a “made to order” wood and foam products, and, although the products don’t really look different the product that is the subject of this application has a removable and washable cover, and is adjustable.

AGENDA ITEM # 21, Attachment # 03.90

Request to establish a code for power-assist for manual wheelchairs Trade Name: e.motion.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Establish the following “E” code:

E???? Manual wheelchair accessory push-rim activated power assist, each.

Payment: Code E???? would fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). If covered, payment would be made on a purchase basis. The fee schedule amounts would be gap-filled by the DMERCs.

There was no Primary Speaker for this item.

AGENDA ITEM # 22, Attachment # 03.104

Request to establish a code for a manual wheelchair with incorporated lift assist seat, Trade Name: Comfy High-Riser Lift-Assist Wheelchair.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code K0001, “standard wheelchair”, without separately coding for the elevating seat, because it is a convenience item.

Payment: Code K0001 falls under the DME fee schedule payment category for capped rental items (pricing indicator of 36 in the HCPCS). If covered, payment would be made on a rental basis. The national, monthly rental, fee schedule ceiling for K0001 is currently \$54.62 and the floor is \$46.43.

There was no Primary Speaker for this item.

AGENDA ITEM # 23, Attachment # 03.117

Request to establish a code for a folding, multi-adjustable pediatric wheelchair with seating system Trade Name: Kids Quickie 2.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E1236, “wheelchair, pediatric size, folding, adjustable, with seating system”, as assigned the previous year to this product category. This product meets the criteria for coding at E1236. Multi-adjusting was included in the intent of establishing E1236, as suited to pediatric wheelchairs, so they can change as the patient grows.

Payment: Effective July 1, 2003, code E1236 will fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. Effective July 1, 2003, the national, purchase fee schedule ceiling and floor for E1236 will be \$1,638.73 and \$1,392.92, respectively, for items furnished on or after January 1, 2003. Effective July 1, 2003, the national, monthly rental fee schedule ceiling and floor for E1236 will be \$163.87 and \$139.29, respectively, for items furnished on or after January 1, 2003.

Primary Speaker – Tom Whelan of Sunrise Medical, disagreed with the Workgroup’s recommendation to use code E1236. He commented that such action does not recognize differences in capability and would group substantially different technologies into the same category. He provided examples of adjustable features, such as elevated leg rests; adjustable arm

rests; seat angle; and floor-to-seat height. He indicated that a code is needed that recognizes a “multi-adjustable” product in order to reimburse appropriately.

AGENDA ITEM #24, Attachment # 03.118&03.119 (A&B)

- A) Request to establish a code for a folding, multi-adjustable pediatric wheelchair without seating system, Trade Name: Zippie 2.
- B) Request to establish a code for a rigid, multi-adjustable, pediatric wheelchair without seating system Trade Name: Zippie GS.

Coding Recommendations: (03.118) CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E1238, “wheelchair, pediatric size, folding, adjustable, without seating system”, as assigned the previous year to this product category. This product meets the criteria for coding at E1238. Multi-adjusting was included in the intent of establishing E1238, as suited to pediatric wheelchairs, so they can change as the patient grows.

(03.119) CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E1237, wheelchair, pediatric size, rigid, adjustable, without seating system, as assigned the previous year to this product category. This product meets the criteria for coding at E1237. Multi-adjusting was included in the intent of establishing E1237, as suited to pediatric wheelchairs, so they can change as the patient grows.

Payment: (03.118) Effective July 1, 2003, code E1238 will fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. Effective July 1, 2003, the national, purchase fee schedule ceiling and floor for E1238 will be \$1,723.55 and \$1,465.02, respectively, for items furnished on or after January 1, 2003. Effective July 1, 2003, the national, monthly rental fee schedule ceiling and floor for E1238 will be \$172.37 and \$146.51, respectively, for items furnished on or after January 1, 2003.

(03.119) Effective July 1, 2003, code E1237 will fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. Effective July 1, 2003, the national, purchase fee schedule ceiling and floor for E1237 will be \$1,653.05 and \$1,405.09, respectively, for items furnished on or after January 1, 2003. Effective July 1, 2003, the national, monthly rental fee schedule ceiling and floor for E1237 will be \$165.30 and \$140.51, respectively, for items furnished on or after January 1, 2003.

Primary Speaker – Tom Whelan of Sunrise Medical, commented that the Zippie 2 and the Zippie GS come without seating, (sold as a base for seating systems); the large wheels are in the front, not the back; and the Zippie 2 folds. He raised an objection that reimbursement for the recommended codes is too low to provide access to the products that are the subject of this application.

AGENDA ITEM #25, Attachment # 03.86

Request to establish a code for a pediatric, rigid, multi-adjustable wheelchair, Trade Name: Quickie Kidz.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E1235, “wheelchair, pediatric size, rigid, adjustable, with seating system,” as assigned the previous year to this product category. This product meets the criteria for E1235. Multi-adjusting was included in the intent of establishing E1235, as suited to pediatric wheelchairs, so they can change as the patient grows.

Payment: Effective July 1, 2003, code E1235 will fall under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. Effective July 1, 2003, the national, purchase fee schedule ceiling and floor for E1235 will be \$1,857.43 and \$1,578.82, respectively, for items furnished on or after January 1, 2003. Effective July 1, 2003, the national, monthly rental fee schedule ceiling and floor for E1235 will be \$185.75 and \$157.89, respectively, for items furnished on or after January 1, 2003.

Primary Speaker – Tom Whelan of Sunrise Medical disagreed with the Workgroup’s preliminary recommendation. He commented that the recommended coding action would lump different technologies and capabilities under the same code, with the same reimbursement.

AGENDA ITEM #26, Attachment # 03.116

Request to establish a code for a portable overhead lifter Trade Name: Guardian voyager overhead lifter and Guardian easytrack system.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Use existing code E0635, patient lift, electric, with seat or sling. The lift fits the criteria for coding at E0635. The framework is a matter of convenience.

Payment: Code E0635 falls under the DME fee schedule payment category for capped rental items (pricing indicator of 36 in the HCPCS). Payment is made on a rental basis. The national, monthly rental fee schedule ceiling for E0635 is currently \$122.36 and the floor is \$104.01.

Primary Speaker – Colin Bain of Sunrise Medical, commented that the Guardian system provides technology that other lifts don’t have. It eliminates risk, and is very secure and stable. According to Mr. Bain, the Guardian system is patented, unique technology, and a breakthrough innovation. He indicated that the Guardian System is different from products classified under E0635, because it requires only one operator, is easy to use, and is safer than other products. The unit is “portable” in the sense that it can be deconstructed and put back together in another room.

AGENDA ITEM # 27, Attachment # 03.65

Request to establish a code for a single levered wheelchair rear wheel locking mechanism, Flex-Premium Wheelchair Immobilizing System.

Coding Recommendation: CMS HCPCS Workgroup preliminary recommendation to the HCPCS National Panel: Not to establish a code because of low volume of documented use, and to use existing code K0081 WHEEL LOCK ASSEMBLY, COMPLETE, EACH, and bill for 2 units because there are 2 locks.

Payment: Code K0081 falls under the DME fee schedule payment category for inexpensive or routinely purchased items (pricing indicator of 32 in the HCPCS). Payment is made on a purchase or rental basis. The national, purchase fee schedule ceiling for K0081 is currently \$40.68 and the floor is \$34.58. The national, monthly rental, fee schedule ceiling for K0081 is currently \$4.06 and the floor is \$3.45.

Primary Speaker – Jerry File, Jr. of Laurence-Nelson, LLC, commented that the Flex Premium Immobilizing System is not like other products. If you take the cable away, you do not have 2 locks. He indicated that the Hemi-challenged are already recognized in coding, for example: in the one-arm drive E0108 system. In terms of sales volume, Mr. File provided new information about a GSA VA contract effective July 1st to purchase the product, which “fits like a glove on any of the chairs they like to use”.

CLOSING REMARKS

In light of new information provided at the DME public meetings, the HCPCS workgroup will reconsider its preliminary coding recommendations, CMS staff will reconsider payment methodology recommendations, and the workgroup will formulate its final recommendation to the HCPCS National Panel. By November 15, 2003, the HCPCS National Panel will mail letters to every requestor of its final decision. The 2004 HCPCS Level II Annual Update, including any coding changes, will be effective January 1st 2004, and will be published at: www.cms.hhs.gov/providers/pufdownload/anhcpcdl.asp.

There are no additional DME Public Meetings scheduled for 2003. The dates of the 2004 Public Meetings have not yet been established, but will be published in a Federal Register Notice by Spring, 2004.

Cindy Hake of CMS thanked the participants for their very valuable input at the meeting, and for all the time and effort that was spent on the presentations.

John Lanigan also thanked the audience for their participation, and officially adjourned the meeting.